

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1990 to July 10, 1991

**FIRST SPECIAL SESSION**

July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 9, 1991

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

---

---

J.S. McCarthy Company  
Augusta, Maine  
1991

---

---

**PRIVATE AND SPECIAL LAWS**

**OF THE**

**STATE OF MAINE**

**AS PASSED AT THE**

**FIRST REGULAR SESSION**

**of the**

**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

---

---

**Whereas**, the Town of Gray recently changed the date of its annual town meeting from a date in March to a date in May; and

**Whereas**, the 5-year term of office of one of the district's trustees is scheduled to expire in March of this year and will remain unfilled until a successor is elected at the town's annual meeting in May; and

**Whereas**, the term of the other trustees of the Gray Water District will in subsequent years expire prior to the date of trustee elections; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. P&SL 1929, c. 33, §18**, as enacted by P&SL 1931, c. 105, §1, is repealed and the following enacted in its place:

**Sec. 18. Change in date of election of trustees.** Whenever the term of office of a trustee of the Gray Water District expires, that trustee shall serve until the successor is elected and qualified. The trustee's successor is elected for a term of 5 years, as provided by section 9 of the charter, at a special election of the voters of the district, to be called and held on the same day as the annual municipal election. If the date of the annual municipal election is changed and the change results in the expiration of a trustee's term of office prior to the new date of the annual municipal election, the expiring term is extended to the new date of the annual municipal election. The result of all elections for trustees must be declared by the moderator presiding at the meetings, and recorded by the town clerk in the town clerk's records, and a certificate of the election must be filed by the town clerk with the trustees of the district. It is the duty of the trustees to see that the certificate is entered in the records of the district. The recorded certificate is sufficient evidence in all cases of the legality of the elections.

**Sec. 2. Retroactive application.** The requirement that the term of a trustee of the Gray Water District continue until the election of that trustee's successor applies retroactively to all trustees of the Gray Water District serving on or after February 28, 1991.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective June 7, 1991.

## CHAPTER 16

S.P. 729 - L.D. 1914

### An Act Relating to Workers' Compensation Insurance Rate Setting

**Emergency preamble.** **Whereas**, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, there is currently pending before the Superintendent of Insurance a filing seeking increases in workers' compensation insurance rates and imposition of surcharges on which a decision is required to be issued under applicable laws by June 1st; and

**Whereas**, the Legislature is in the process of enacting substantial changes to the Workers' Compensation Act, Maine Revised Statutes, Title 39 that have a direct and immediate effect on the appropriate rates for coverage but which effects can not be taken into account under current applicable law in the pending rate case and can not be taken into account in approved rates before 1992; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. Workers' Compensation Act changes; rate effect.** For purposes of the proceeding pending before the Superintendent of Insurance on the effective date of this section to establish workers' compensation rates and to determine the need for any surcharge, the deadline for issuance of a decision on the rate filing under the Maine Revised Statutes, Title 24-A, section 2363, subsection 11 and the deadline for making the determinations required under Title 24-A, section 2367 are both extended to September 30, 1991, in order to allow the Superintendent of Insurance to conduct a proceeding for the limited purpose of determining the effect of amendments to Title 39, enacted by the First Regular Session of the 115th Legislature in the Workers' Compensation Act on workers' compensation insurance rates and to take those findings into account in establishing rates and surcharges, if any, in connection with the pending rate filing. The Superintendent of Insurance may not issue a decision in the pending proceeding until the Superintendent of Insurance has evaluated the effect of these changes on the workers' compensation rates and incorporated those findings in the superintendent's decision on the pending rate proceeding.

The Superintendent of Insurance shall order the filing of information necessary to determine the effect

on rates of these changes to the workers' compensation insurance laws and shall conduct a hearing within 30 days after the filing is made. Evidence and argument must be limited to matters relevant to evaluation of the effect of these changes on rates and the time limitations of Title 24-A, section 2363, subsections 3, 6, 11 and 12 do not apply. Any proceeding held pursuant to this Act must be considered a filing for a rate change under the terms of Title 24-A, section 2363, subsection 9, paragraph B. The rates and any surcharges established by the decision of the Superintendent of Insurance on the pending proceeding and the valuation change are effective beginning July 1, 1991.

This section does not apply to any rate proceeding commenced on or after October 1, 1991.

**Sec. 2. Repeal.** This Act is repealed on October 1, 1991.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective June 11, 1991.

**CHAPTER 17**

**H.P. 1239 - L.D. 1805**

**An Act to Appropriate Funds for the Save Loring Committee**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** Loring Air Force Base is considered a pillar of Aroostook County's economy; and

**Whereas,** on April 12, 1991 Loring Air Force Base was one of 31 major installations targeted for closing by the federal Department of Defense; and

**Whereas,** the list of proposed closings will be submitted for review to an independent base-closing commission; and

**Whereas,** municipal managers and community leaders have formed a committee to gather information to present to the independent base-closing commission in an attempt to reverse the recommendation to close Loring Air Force Base; and

**Whereas,** in order to launch a successful campaign to reverse the decision to close Loring Air Force Base it is imperative that the committee receive funds immediately; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

**1990-91**

**FINANCE, DEPARTMENT OF**

**Miscellaneous Acts and Resolves**

All Other	\$50,000
-----------	----------

Provides funds to the Save Loring Committee.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective June 12, 1991.

**CHAPTER 18**

**S.P. 40 - L.D. 64**

**An Act to Provide Funds for Women with Substance Abuse Problems**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. Needs assessment.** The Office of Substance Abuse shall conduct an assessment of the needs of chemically dependent women and shall report its findings, along with a plan to address those needs, to the Joint Standing Committee on Human Resources by January 15, 1992.

**Sec. 2. Technical assistance.** The Office of Substance Abuse shall seek federal demonstration project grants for women's programs and provide technical assistance to private agencies to seek federal demonstration project grants for women's programs.

See title page for effective date.

**CHAPTER 19**

**H.P. 1080 - L.D. 1574**

**An Act to Revise the Charter of the South Berwick Water District**